

07 Civ. 8813 (RWS)

**DECLARATION OF
K. MURALITHERAPANY IN OPPOSITION TO DEFENDANT'S MOTION TO
VACATE
MARITIME ATTACHMENT**

Exhibit 5

IN THE MATTER OF AN ARBITRATION

Between

**ASPEN INFRASTRUCTURES, LTD.
(FORMERLY KNOWN AS SUZLON INFRASTRUCTURE, LTD.)**

... Claimant

And

EP-TEAM, INC.

... Respondent

APPLICATION FOR PARTIAL OR INTERIM AWARD (NO. 1)

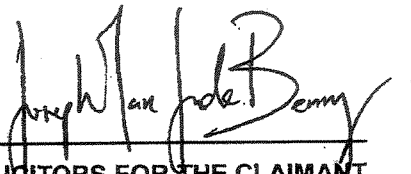
1. Pursuant to Article 32(1) of the UNCITRAL Arbitration Rules and/or Section 2 and/or Section 12(5) and/or Section 19A of the International Arbitration Act (Cap. 143A, 2002 Rev. Ed. Sing.), the Claimant hereby applies to the Tribunal for a partial or interim award in respect of the following relief:
 - a) that pursuant to Clause 8 of the Agreement, for the purpose of audit, the Respondent do forthwith provide the Claimant with all the books and records relating to the Sales and Logistics Services Agreement dated 9 April 2006 entered into between the Claimant and the Respondent, including but not limited to the books and

records reflecting the revenues and calculations of gross revenue, vessel operating costs, net revenue and sales commissions, as further described in Attachment-A of the said Agreement, whether such books and records are in the hands of the Respondent or ProShipLine, Inc.; and

- b) the costs of and occasioned by this application be paid for by the Respondent to the Claimant.

The grounds for the Claimant's application are set out in the 1st Affidavit of Sanjeev Bangad to be served herein.

Dated this 7th day of March 2008.


SOLICITORS FOR THE CLAIMANT
M/S JOSEPH TAN JUDE BENNY